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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,513	03/18/2005	Tadashi Okuto	SNDN.P-002-USNP	4366
57380	7590	10/28/2009		
Oppedahl Patent Law Firm LLC P O Box 5940 Dillon, CO 80435-5940			EXAMINER MARTIN, ANGELA J	
			ART UNIT	PAPER NUMBER
			1795	
			NOTIFICATION DATE	DELIVERY MODE
			10/28/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10528513	3/18/05	OKUTO ET AL.	SNDN.P-002-USNP

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ANGELA J.. MARTIN

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1795	20091023

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Commissioner for Patents

A Reply Brief was timely filed on July 27, 2009. However, the Reply Brief did not comply with respect to the criteria set forth in 37 CFR 41.41 (a)(2) which states:

(a)(2) A reply brief shall not include any new or non-admitted amendment or any new or non-admitted affidavit or other evidence. See 1.116 of this title for amendments, affidavits or other evidence filed after final action but before or on the same date of filing an appeal and 42.33 of amendments, affidavits or other evidence filed after the date of filing the appeal.

The Reply Brief filed on July 27, 2009, is deemed not in compliance with 37 CFR 41.41 (a)(2) because it contains new evidence in the Affidavit/Exhibit after Notice of Appeal. As a result, the Reply Brief will not be entered.

/Angela J. Martin/
Examiner, Art Unit 1795